

No. 9/5/84-6Lab./9236.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of Haryana Roadways, Hissar :—

BEFORE SHRI B.P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 204 of 1982

between

SHRI DARYAV SINGH, WORKMAN AND THE MANAGEMENT OF HARYANA ROADWAYS, HISSAR

Present—

None for the petitioner.

— Shri Jagbir Singh, A.R. for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between the workman Shri Daryav Singh and the management of Haryana Roadways, Hissar, to this Court, for adjudication,—vide Haryana Government Notification No. ID/HSR/58/80/47195, dated 14th October, 1982 :—

Whether the termination of services of Shri Daryav Singh was justified and in order ? If not, to what relief is he entitled ?

2. After receipt of the order of reference, notices were issued to the parties. The parties appeared. The case of the workman is that he was employed with the respondent as a Conductor and all through his work and conduct has been satisfactory and the respondent choose to terminate his services unlawfully on 8th May, 1979 and that the order of termination is illegal and void and unjustified and against the principles of natural justice. So, he has prayed for reinstatement with continuity of service and full back wages.

3. In the reply filed by the respondent, the claim of the workman has been controverted *in toto*. Pleas propounded need not be detailed, because this reference is being answered on grounds other than merits.

4. On the pleadings of the parties, the following issue was settled for decision :—

(1) Whether the termination of services of Shri Daryav Singh was justified and in order ? If not, to what relief is he entitled ?

5. Thereafter the management examined as many as four witnesses and the case was posted for evidence of the workman. For his evidence many opportunities were afforded but the workman did not appear to prosecute his claim. Today none is present for the workman. The only inference possible is that the workman is not interested in prosecution of this reference. So, the same is dismissed for non-prosecution and answered accordingly. There is no order as to cost.

Dated the 27th September, 1985

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Hissar.

Endst. No. 204-82/1651, dated 11th October, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Hissar.